



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Neva A. Taylor, Treasurer
Citizens for Maria Chappelle-Nadal
P.O. Box 300233
University City, MO 63130

APR 23 2018

RE: MUR 7108
Citizens for Maria Chappelle-Nadal

Dear Ms. Taylor:

On July 25, 2016, the Federal Election Commission notified you of a complaint alleging that Citizens for Maria Chappelle-Nadal (the "State Committee") violated certain sections of the Federal Election Campaign Act of 1971, as amended. On March 6, 2018, the Commission found, on the basis of the information in the complaint and the State Committee's response, that there is no reason to believe that the State Committee violated 52 U.S.C. § 30125(e)(1)(A). Accordingly, the Commission closed its file in this matter on April 19, 2018.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003), and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). A Factual and Legal Analysis, which more fully explains the Commission's findings, is enclosed.

If you have any questions, please contact Shanna Reulbach, the attorney assigned to this matter, at (202) 694-1638.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Y. Tran".

Lynn Y. Tran
Assistant General Counsel

Enclosure
Factual and Legal Analysis

18044444-1785

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Citizens for Maria Chappelle-Nadal and Neva Taylor in her official capacity as treasurer MUR: 7108

I. INTRODUCTION

This matter was generated by a Complaint filed with the Federal Election Commission (the "Commission") by Mary Patricia Dorsey. The Complaint alleges that Citizens for Maria Chappelle-Nadal (the "State Committee") violated the Federal Election Campaign Act of 1971, as amended (the "Act"), by directing other state and local candidates to spend soft money to print and distribute a door hanger supporting Maria Chappelle-Nadal's federal congressional candidacy.

II. FACTUAL & LEGAL ANALYSIS

A. Factual Background

Maria Chappelle-Nadal is a Missouri State Senator who is running for statewide office in 2020.¹ During the 2016 election cycle, Chappelle-Nadal also ran for Congress.² The Complaint observes that the State Committee donated money to other state and local candidates and committees, including Jay Mosley and Rochelle Walton Gray, while Chappelle-Nadal was a federal candidate.³

The Complainant states that she received a door hanger promoting Chappelle-Nadal's congressional candidacy in June 2016.⁴ She attached a copy of the door hanger to the

¹ See Compl. at 1 (July 18, 2016); Amended Statement of Committee Organization, Citizens for Maria Chappelle-Nadal (Jan. 28, 2015).

² See Compl. at 1; Statement of Organization, Chappelle-Nadal for Congress (Oct. 6, 2015); Statement of Candidacy, Maria Chappelle-Nadal (Oct. 6, 2015).

³ See Compl. at 1.

⁴ *Id.*

1 Complaint. The door hanger encourages people to "Vote Democratic & Elect" Chappelle-Nadal
2 and state and local candidates Jay Mosley, Rochelle Walton Gray, Tony Weaver, and Linda
3 Weaver. The front of the door hanger has pictures of each candidate and, on the back, there is
4 more information about Jay Mosley and Rochelle Walton Gray and a disclaimer that states,
5 "Paid for by Citizens to Elect Gray, Angela Mosley, Treasurer & by Citizens to Elect Jay
6 Mosley, LLC, Angela Mosley, Treasurer."⁵

7 The Complaint alleges that, after the State Committee gave money to Citizens to Elect
8 Gray and Citizens to Elect Jay Mosley State Committee LLC, it directed those committees, along
9 with Linda Weaver, to spend funds on the door hanger.⁶ The Complaint therefore alleges that
10 the State Committee violated the Act by directing the use of non-federal funds in connection
11 with a federal election.⁷

12 In response, the State Committee denies coordinating with Gray and Mosley. It states
13 that the contributions made by the State Committee to Gray and Mosley were solely for the
14 purpose of supporting their campaigns and any "[d]ecisions concerning expenditure of those
15 funds, once contributed, were entirely at the discretion of the Gray and Mosley candidate
16 committees."⁸

17 The Commission is also in possession of additional information indicating that, despite
18 the disclaimer on the door hanger, Citizens to Elect Gray paid for the entirety of the
19 communication, and Mosley and Weaver did not pay for any portion. The additional information

3 *Id.*, Attach. A.

6 *Id.* at 1.

7 *Id.*

8 Resp. at 2 (Aug. 15, 2016).

1 in the Commission's possession further indicates that Gray denies coordinating with the State
2 Committee regarding the door hanger.

3 **B. Legal Analysis**

4 The Act's soft money provision prohibits federal candidates, their agents, and entities
5 established, financed, maintained, or controlled ("EFMC'd") by federal candidates from
6 soliciting, receiving, directing, transferring, or spending funds "in connection" with any federal
7 election unless the funds are in amounts and from sources permitted by the Act.⁹ Under
8 Missouri law, candidates can accept unlimited contributions and contributions from corporations
9 and labor unions.¹⁰ Therefore, Missouri allows candidates to collect funds in excess of federal
10 limitations and from sources prohibited by the Act, *i.e.* soft money.¹¹

11 In this case, the State Committee, an entity EFMC'd by congressional candidate
12 Chappelle-Nadal, has denied directing Citizens to Elect Gray, a Missouri political committee free
13 to collect soft money, to pay for the door hanger.¹² The State Committee's denial is supported
14 by additional evidence in the record. As there is no evidence that the State Committee directed
15 Citizens to Elect Gray to spend soft money on the door hanger, the Commission finds no reason
16 to believe that the State Committee violated 52 U.S.C. § 30125(e)(1)(A).

⁹ 52 U.S.C. § 30125(e)(1)(A)-(B); 11 C.F.R. §§ 300.61-.62. The Commission has concluded that a federal candidate's state committee is an entity EFMC'd by the federal candidate. Advisory Op. 2007-26 (Schock) at 4; Advisory Op. 2006-38 (Casey State Committee) at 4.

¹⁰ MO. REV. STAT. §§ 130.011-.160 (providing no contribution limit); *id.* § 130.029 (stating that corporations and labor organizations may make contributions).

¹¹ 52 U.S.C. § 30116(a)(1)(A) (providing the individual contribution limit); *Contribution Limits for 2015-2016 Federal Elections*, FED. ELECTION COMM'N, <http://www.fec.gov/info/contriblimitschart1516.pdf> (last visited Jan. 30, 2017) (stating that the indexed individual contribution limit to a candidate and her authorized committee is \$2,700 per person, per election); *see also* 52 U.S.C. § 30118(a) (prohibiting corporations and labor unions from contributing to candidates and political committees).

¹² *See Resp.* at 2.